WIlliam V. Phillips and Lambert C. Nims, individually and doing business as PHILLIPS-MIMS FEED & FLOUR COMPANY

IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA

Plaintiff

VS

AT LAW

BREWSTER GOODMEN

Defendant

case no. 1703

#### AFFIDAVIT FOR GARNISHMENT ON JUDGMENT

STATE OF ALABAMA [

COUNTY OF MOBILE (

Personally appeared before me, Alice J. Duck, Clerk of the Circuit Court in and for Baldwin County, State of Alabama, Fred F. Smith, Jr., Attorney of Record, who being duly sworn, on oath says, that on the 5th day of February, 1952, of the Circuit Court of Baldwin County, William V. Phillips and Lambert C. Wims, d/b/a Phillips-Mims Feed & Flour Company, recovered a judgment against Brewster Goodman for the sum of One Hundred Fifty-eight dollars and Thirty-two Cents (\$158.32), besides costs of suit; that said judgment remains wholly unsatisfied and in full force and effect; that Standard Coffee Company, a Louisiana Corporation, is supposed to be indebted to or have effects of the said Brewster Goodman in its possession, or under its control, and that they believe process of Garnishment against said Brewster Goodman is necessary to obtain satisfaction of said Judgment.

Sworn to and subscribed this 19th day of August, A.D., 1952.

clerk Clerk

SERVE GARNISHMENT ON:

W. B. Mitchell Statutory Agent - Standard Coffee Co., Inc. 2604 14th Avenue North Birmingham, Alabama William V. Phillips and Lambert | C. Mims, individually and doing business as PHILLIPS-MIMS FEED & FLOUR COMPANY

IN THE CIRCUIT COURT OF -BALDWIN COUNTY, ALABAMA

Plaintiff

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AT LAW

· BREWSTER GOODNEN

Defendant

CASE NO.

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Sworn to and subscribed this 19th day of August, A.D., 1952.

SERVE GARNISHMENT ON:

W. B. Mitchell Statutory Agent - Standard Coffee Co., Inc. 2604 14th Avenue North Birmingham, Alabama

William V. Philips Vis. et al

Filed 8-1952 Derochneusk Deren

day of August , 1952 ...

STATE OF ALABAMA,					4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 - 4 -	
BALDWIN COUNTY	<b>\</b>		· ·			:
					er er	er en
TO Brewster Goodman	n	*****	, Defe	endant:		
YOU ARE HERE	BY NOTIFIED that	a Writ of Garn	ishment has b	een issued	in the case	e of
William V. Phi	llips et al		······································	******************	***************************************	, Plaintiff
versus Brewster Goodma	an	•••••	************************			Defendant
now pending in the Circu	uit Court of Baldwin	n County, Alaba	ıma, Law Side,	in which		
Standard Coffee	Company, a Louis	iana Corporat	ion	•		
ha s been named as Gar	rnishee			·		
3						

Clerk of the Circuit Court.

TO DEFENDANT OF GARNISHMENT BY CLERK OF CIRCUIT COURT BALDWIN COUNTY, ALABAMA TO WILLIAM V. PHILLIPS ET ALS Plaintiff ..... VS. BREWSTER GOODMAN Defendant.....

### THE STATE OF ALABAMA, \ CIRCUIT COURT BALDWIN COUNTY

BALDWIN COUNTY	Bebruary TERM, 19452
TO ANY SHERIFF OF THE STATE OF ALABAMA—G	REETING:
WHEREAS, At a regularTerm, 194-	of the Circuit Court of Baldwin County
to-wit: On the 5th day of February	, 194_52, being a regular day of
said term, WILLIAM V. PHILLIPS ET ALS,	
recovered judgment against BREWSTER GOODMAN	
for the sum of <u>One hundred</u> , fifty-eight & 32/100	
and affidavit having been made by Fred F. Smith Jr. that process of garnishment is believed to be necessary to obtain following named persons or corporations, viz:	n satisfaction of such Judgment, and that the
Standard Coffee Company of Louisiana	
	,
has or is believed to have in their possession, or	under their control money
or effects belonging to said defendant Brewster Goodman o	or that <u>Standard Classes</u> Co. is or
is believed to be indebted to said defendant Bresster Boodpa contract for the delivery of personal property, or on a contract discharged by the delivery of personal property or which is pay	for the payment of money which may be yable in personal property.
You Are Therefore Hereby Commanded to Sur	mmon
Standard Coffeee Company of Louisiana	
	· ·
to be and appear before the beneathle the Circuit Court ( D.)	1:0
to be and appear before the honorable the Circuit Court for Bal the city of Bay Minette, on the (within thirty days) Monday in	•
then and there within the three first days of the term, to answe	
of the garnishment, or at the time making an answer, or	rat any time intervening the time of serv-
ing the garnishment and making the answer	indebted to said defendant
Brewster Goodman and whether Standard Coffee Co.	not be indebted in future to said defendant
Brewster Goodmaby a contract then existing, and whether by	
is, or are, liable to said defendants for the delivery of personal p	property, or for the payment of money which
may be discharged by the delivery of personal property, or v	
have whether they has not in their possession	n or under their control money or
effects belonging to the defendantBrewster Goodman	
Herein fail not, and have you then and there this Wri	
Witness, MXS. DUCK, Clerk of said Court, this_	•
A. D., 1952 ISSUED day of	A. D. 194

ATTEST:

leice french

Received in Sheriff's Office this 20day of May, 1957 TAYLOR WILKINS, Sherili Circuit Court, Baldwin County CEIVED .....8 TURNED 27-2-53 of found in my County after differnt search No. 17035 W. H. HOLCOMBE, Sheriff VS. | GARNISHMENT ON JUDGMENT by leaving a carry of within with Issued 20th day of ling 1962 of said company HOLT A. McDOWELL, Sheriff Jefferson County, Alabama Returnable day of 194

358 RECORDED 227 William V. Phillips Brewster Goodman)

Attorney.

Moore Printing Co., Bay Minette, Ala.

WILLIAM B. PHILLIPS, Plaintiff

-VS-

BREWSTER GOODMAN
Defendant
-and-

-and-STANDARD COFFEE COMPANY, INC., Garnishee IN THE CIRCUIT COURT OF BALDWIN COUNTY, ALABAMA AT LAW. CASE NO. 1703

#### ANSWER OF GARNISHEE

NOW COMES the STANDARD COFFEE COMPANY, INC., a Louisana Corporation, garnishee in the above styled cause, by its undersigned agent, who deposes and says that he, is the duly authorized agent of said garnishee to make this answer; that he has knowledge of the facts herein, and says in answer to the write served on the garnishee herein:

That garnishee was not at the time of service of said writ, is not now, and will not in the future, by contract then or now existing, be indebted to defendant in any other sum than as above stated, unless defendant continues in the employ of garnishee, in which event garnishee will become indebted to defendant for all such future earnings; that said garnishee was not liable to said defendant for the delivery of personal property, nor for the payment of money which may be discharged by the delivery of personal property, nor which is payable in personal property; and that said garnishee has not in its possession nor under its control any money or effects belonging to defendant other than as above stated, and that affiant is informed and believes, and upon such information and belief, states that the defendant is a resident of Alabama.

Garnishee has retained 40% of the wages of the defendant, as afore shown, being \$\frac{\pi\_2 \cappa\_2 \cappa\_6}{\pi\_6 \quad \text{dollars}}\$ dollars, and will continue to retain 40% of the wages of the defendant during the period of the defendant's employment with garnishee and will, not later than fifteen days after the termination of such employment, or when a sum equal to \$\frac{15\left(\frac{32}{32}\)}{\phi\_6 \quad \frac{32}{32} \quad \text{dollars}\$, the amount of the claim of the

plaintiff against the defendant, has been retained by garnishee from such wages, make a further further answer in this proceeding.

STANDARD COFFEE COMPANY, INC.

By: 1 2 aliver

Sworn to and subscribed before me by said Agent of said Garnishee, this the 3/1 day of annuay, Nineteen Hundred Fiftythree (1953).

St. Boatner
Affiant

Notary Public, On Ocana Parish, La

WILLIAM B. PHILLIPS,
Plaintiff

-vs
BREWSTER GODDMAN RECORDED

Defendant

-andSTANDARD COFFEE COMPANY, INC.
Garnishee

2-26-53. ALICE J. DUCK, Clerk

### FRED F. SMITH, JR. ATTORNEY AT LAW 70 MAIN STREET PRICHARD, ALA

PHONE 6-7318

August 15, 1952

P.O. BOX 3422

Mrs. Alice J. Duck Clerk of Court Baldwin County Circuit Court Bay Minette, Alabama

RE: PHILLIPS-MIMS FEED & FLOUR CO.

vs
Brewster Goodman
#1703
and vs
T. F. Burt

Dear Mrs. Duck:

Enclosed is affidavits of garnishment signed by myself for each of the above defendants.

Please issue garnishments as indicated.

Thank you and I hope to get up to Bay Minette to see you one of these days.

Sincerely,

Fred F. Smith, Jr.

FFS/s encl (2)

#### RICKARBY & RICKARBY

FAIRHOPE, ALABAMA

E. G. RICKARBY, JR.

4 May 1953

Mrs. Alice J. Duck Clerk Circuit Court Bay Minette, Ala.

No. 1703½
Re: Phillips, et al
Vs: Goodman
Standard Coffee Co, Garnishee

Dear Mrs. Duck:

Enclosed find copy of the letter that the attorney for the plantiff sent me in this cause.

Yours very truly,

E. G. Rickarby, Jr.

R/i 1603 cc: Standard Coffee

The inforteleased

#### XXXXXXXXX 22 N.Wilson Ave.

April 24, 1963

Mrs. Alice J. Duck Clerk of Court Baldwin County Circuit Court Bay Minette, Alabama

RE: Phillips Mims et al vs
Brewster Goodman - Standard Coffee Co. Garnishee # 17032

Dear Mrs. Duck:

By agreement with Mr. E. G. Hickarby, Jr. and myself, and due to the fact that Mr. Goodman paid directly to the plaintiff in this case the sum of \$50.00, the judgment by consent stands at \$108.32.

Mr. Rickarby is going to pay that amount into Court plus the Court Costs of \$22.95 which will satisfy the Judgment and clear the matter up.

Sincerely,

Fred F. Smith, Jr.

FFS/s

co: Mr. E. G. Rickerby, Jr. Fairhope, Alabama

Mr. Rickarby: Check your arithmetic. I think you made a \$5.00 error.

108 95°

William V. Phillips and Lambert C. Mims, individually and doing business as Phillipsand doing business.
Mims Feed & Flour Company.
Plaintiff

The way of the second

Brewster Goodman Defendant IN THE CIRCUIT COURT

OF BALDWIN COUNTY,

ALABAMA.

CASE NO. 1703

#### NON MILITARY AFFIDAVIT

STATE OF ALABAMA

MOBILE COUNTY

Before me, Fred F. Smith Jr., Notary Public, in and for said State and County, personally appeared William V. Phillips of Phillips-Mims Feed & Flour Company, plaintiff in the above styled cause, who is known to me and who by me by me being first duly sworn doth depose and say:

That he is plaintiff in the case of William V. Phillips and Lamber C. Mims, individually and doing business as FhillipsMims Feed & Flour Company vs. Brewster Goodman, which is
now pending for trial in the circuit court of Baldwin County,
Alabama, at Law; that Brewster Goodman who is the defendant
in the above styled cause, and who is in default of any appearance, and who has not demurred, pleaded or answered to the complaint in this cause, is not at this time a person in the military service of the United Stated, or in any branch of said service, but that he is a resident of Bay Minette, Baldwin County, Alabama; all this of which the plaintiff knows of his own knowledge.

Subscribed and sworn to before me this 4th. day of

February 1952.

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Thank 30, 1955

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STATE OF ALABAMA (COUNTY OF MOBILE)

Before me, the undersigned authority in and for aforesaid County and State, who as a Notary Public under my seal of office which seal of office is hereto attached, personally appeared W. V. Phillips known to me, who being duly sworn, upon his oath stated he is a partner of Phillips-Mims Feed and Flour Company, a partnership composed of W. V. Phillips and Lambert C. Mims; that as such he makes this affidavit; that he is familiar with the books and business of Phillips-Mims Feed and Flour Company; that the attached account against Brewster Goodman is just and correct within the knowledge of this affiant; that he has authority to make this affidavit and that he has personal knowledge of the matters contained herein; that the items thereon stated and composing the said account were sold and delivered to the said Brewster Goodman at the special instance and request of the debtor and that credit has been duly made for all payments and just and lawful offsets to which said account is entitled as thereon stated and that the balance thereof amounting to the sum of one hundred forty-five dollars and twenty-six cents (\$145.26) with interest from May 31st, 1950, is justly due and remains unpaid.

WV. Khillips

STATE OF ALABAMA [

COUNTY OF MOBILE |

Sworn to, subscribed, acknowledged, signed and sealed before me, as a Notary Public under my seal of office, with my seal hereto affixed on this the 4th day of February, 1952.

NOTARY PUBLIC

Thy Commission expenses March 30, 1953

STATE OF ALABAMA :

Before me, the undersigned authority in and for aforesaid County and State, who as a Motary Rublic under my seal of office which seal of office is hereto attached, personally appeared W. V. Failligs known to me, who being duly sworn, upon his oath stated he is a partner of Phillips-Hims Feed and Flour Company, a partnership composed of W. V. Phillips and Lambert C. Mims; that as such he makes this affidavit; that he is familiar with the books and business of Fhillips-Mims Feed and Flour Company; that the attached account against Brewster Goodman is just and correct within the knowledge of this affiant; that he has authority to make this affidavit and that he has personal imoviedge of the matters confained herein; that the items thereon stated and composing the said account were sold and delivered to the said Brewster Goodman at the special instance and request of the debter and that credit has been duly made for all payments and just and lawful offsets to which said account is entitled as thereon stated and that the balance thereof amounting to the sum of one hundred forty-five dollars and twenty-six cents ({145.28) with interest from May 31st, 1950, is justly due and remains unpaid.

Sworm to, subscribed, acknowledged, signed and sealed before me, as a Notary Public under my seal of office, with my seal hereto affixed on this the 4th day of February, 1952.

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STATE OF ALABAMA §

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#### PHILLIPS-MIMS FEED & FLOUR CO.

#### Prichard, Alabama

TO: Goodman's Rolling Store
Bay Minette, Alabama

January 28, 1950

4 8 1 6 4 4 4 1 2 4 4	Martha White Pl. (25) 25 Martha White S.R. 10 Martha White S.R. 25 Fortune Scratch Feed 25 Fortune Egg Mash Feed 25 Fortune Starter Feed 25 Fortune Growing Feed 100 Fortune 20% Dairy Feed 100 Liberty 16% Dairy Feed 100 Shorts M.W. Feed 25 Coarse Salt Rocks		\$ 7.40 15.05 7.93 6.42 4.90 5.20 5.10 4.15 6.70 12.60 1.48
		Less	\$76.93 2.03
		Total	\$74.90

(Sgd) Brewster Goodman

#### TO: Goodman's Rolling Store Bay Minette, Alabama

#### February 4, 1950

25 Martha White Pl. 5 10 Martha White Pl. 16 25 Martha White S.R. 10 10 Martha White S.R. 1 12-18 White Cake Mix 1 12-16 Devil Food Mix 12 25 Fortune Scratch Feed 3 100 Fortune 20% Dairy Feed 3 100 Liberty 16% Dairy Feed	\$ 7.43 3.91 30.30 7.95 3.15 3.15 12.84 12.15 10.05
3 100 Fortune 20% Dairy Feed 3 100 Liberty 16% Dairy Feed	
3 100 Liberty Horse & Mule Feed 2 100 Shorts M.W.	10.95

\$108.08 Less 2.72

Total \$105.36

(Sgd) Brewster Goodman

### PHILLIPS-MIMS FEED & FLOUR CO.

#### Prichard, Alabama

#### TO: Goodman's Rolling Store Bay Minette, Alabama

#### February 15, 1950

2 1 2	25 Martha White S.R. 100 Fortune 20% Dairy Feed 100 All Purpose Stock Dairy Mix 100 Liberty Horse & Mule Feed 100 Shorts M.W.	\$22.72 8.10 3.50 7.00 9.45
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(Sgd) Brewster Goodman \$50.77

TOTAL DEBITS.....\$231.0

Credits to Goodman's Rolling Store Bay Minette, Alabama

2/3/50 \$55.29 3/25/50 15.48

4/8/50 10.00 5/24/50 5.00

TOTAL CREDITS.....\$ 85.77

BALANCE DUE ......\$145.26

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FRED F. SMITH, JR.
ATTORNEY AT LAW
70 MAIN STREET
PRICHARD, ALA.

PHONE 6-7318

12 Sept. 1951

P. O. Box 3422

Clerk of the Circuit Gourt Baldwin County Bay Minette, Alabama

Dear Sir:

Please file the enclosed cases for me. And would you drop me a letter when the cases are set for trial or any pleadings are filed or set down for hearing etc.

Thank you for your attention in the matter.

Sincerely,

Fred F. Smith Jr.

William V. Phrégiss VS. Brewster Goodman

on account

Fred J. Smith Jr.

William V. Phillips and Lambert C. Mims, individually and doing business as Phillips-Mims Feed & Flour Company.

⊽.

Brewster Goodman

IN THE CIRCUIT COURT
OF BALDWIN COUNTY,
ALABAMA.
CASE NO.

#### COMPLAINT

COUNT 1. The plaintiffs claim of the defendant the sum of one hundred forty five dollars and twenty six cents (\$145.26) due from him by account on, to-wit: May 31, 1950, which sum of money with the interest thereon is still unpaid.

Fred F. Smith Jr.
Prichard, Alabama
Attorney for plaintiff

Address of defendant:

Bay Minette, Alabama

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to appea	r and plead, answer	or demur, within	thirty days from t	he service hereof	, to the complair	nt filed in
the Circ	rit Count of Daldami				•	
me che	iit Court of Baldwin	County, State of	Alabama, at Bay	Minette, against .		
	DDTMCmmp coom					
	BREWSTER GOOD	AAN			, Defer	dant
_	***************************************	\$ 1				
by	WITH TAM V.	PHILITPS AND	LAMBERT C. MI	MS		
					, Pla	aintiff
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Witness n	ny hand this	<u>llith</u>	day of <b>Se</b> p	ta	19 51	
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Brewsto	K loodman		Brei	mu	<u> Lor</u>	<u>salma</u>
	Defendants		+ 1 = - 1		***************************************	
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	Plaintiff's Attorney		Lange	be U	ille.	Sheriff
	Defendant's Attorney		Jacon	<u> 20//0</u>	- OD'e	eputy Sheriff
				<i>.</i>		